

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 V.) CRIMINAL NO. 05-10176-RCL
)
) VIOLATIONS:
) 21 U.S.C. §841(a)(1)-
 BRANDON DELGADO) Possession With Intent To
 Defendant.) Distribute and Distribution
) of Controlled Substances
)
) 21 U.S.C. § 841(a)(1)--
) Possession with Intent to
) Distribute Cocaine
)
) 18 U.S.C. § 924(c)(1)(A)
) Possession of a Firearm in
) Furtherance of a Drug Trafficking
) Crime
)
) 21 U.S.C. §853 - §841(a)(1)-
) Criminal Forfeiture

SUPERSEDING INDICTMENT

COUNT ONE: (Title 21, United States Code, §841(a)(1)-
Possession With Intent to Distribute and
Distribution of Cocaine Base)

The Grand Jury charges that:

On or about September 2, 2004, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack" cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section

841(a)(1).

COUNT TWO: (Title 21, United States Code, §841(a)(1) -
Possession With Intent to Distribute and
Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about November 4, 2004, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack" cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT THREE: (Title 21, United States Code, §841(a)(1) -
Possession With Intent to Distribute and
Distribution of Cocaine Base)

The Grand Jury further charges that:

On or about November 12, 2004, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine base, also
known as "crack" cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT FOUR: (Title 21, United States Code, §841(a)(1).-
Possession With Intent to Distribute and
Distribution of Cocaine)

The Grand Jury further charges that:

On or about November 30, 2004, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine, a
Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT FIVE: (Title 21, United States Code, §841(a)(1) -
Possession With Intent to Distribute and
Distribution of Cocaine)

The Grand Jury further charges that:

On or about February 4, 2005, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine, a
Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT SIX: (Title 21, United States Code, §841(a)(1)-
Possession With Intent to Distribute and
Distribution of Cocaine)

The Grand Jury further charges that:

On or about April 4, 2005, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine, a
Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT SEVEN: (Title 21, United States Code, §841(a)(1) -
Possession With Intent to Distribute and
Distribution of Cocaine)

The Grand Jury further charges that:

On or about May 18, 2005, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute, and did distribute, cocaine, a
Schedule II controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT EIGHT: (Title 21, United States Code, §841(a)(1) -
Possession With Intent to Distribute Cocaine)

The Grand Jury further charges that:

On or about May 26, 2005, at New Bedford, in the
District of Massachusetts,

BRANDON DELGADO,

the defendant herein, did knowingly and intentionally possess
with intent to distribute cocaine, a Schedule II controlled
substance.

All in violation of Title 21, United States Code, Section
841(a)(1).

COUNT NINE: (Title 18, United States Code, §924(c)(1)(A) -
Possession of a Firearm in Furtherance of a Drug
Trafficking Crime)

The Grand Jury further charges that:

On or about May 26, 2005, at New Bedford, in the District of
Massachusetts,

BRANDON DELGADO,

the defendant herein, knowingly and intentionally possessed in
furtherance of the drug trafficking crime charged in Count Eight
of the Indictment, a firearm, to wit: a Glock, Model 19, 9mm
semi-automatic pistol bearing serial number GP891US.

All in violation of Title 18, United States Code, Section
924(c)(1)(A)

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts One through Nine of this Indictment,

BRANDON DELGADO

defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses, including, but not limited to, the following real and/or personal property:

\$5,000 in cash seized on May 26, 2005,
from 193 Cottage Street, New Bedford, MA;

and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants -

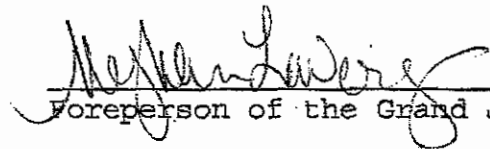
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;


it is the intention of the United States, pursuant to Title 21,

United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL

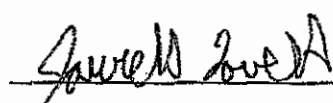

Foreperson of the Grand Jury


Cynthia W. Lie
Assistant United States Attorney

DISTRICT OF MASSACHUSETTS:

November 2, 2005

Returned into the District Court by the Grand Jurors and filed.

 11/2/05
Deputy Clerk 2:24 AM

JS 45 (5/97) - (Revised USAO MA 6/29/04)

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: New Bedford Category No. II Investigating Agency ATFCity New Bedford Related Case Information:

County Suffolk Superseding Ind./ Inf. Yes Case No. 05CR10176 RCL
Same Defendant YES New Defendant
Magistrate Judge Case Number 05M0406 RBC
Search Warrant Case Number 05M0460RBC
R 20/R 40 from District of _____

Defendant Information:Defendant Name BRANDON DELGADO Juvenile ☐ Yes ☒ No

Alias Name _____

Address 193 COTTAGE STREETBirth date (Year only): 83 SSN (last 4 #): _____ Sex M Race: _____ Nationality: _____Defense Counsel if known: MICHAEL LISTON Address: 2 park plaza suite 610
Boston, MA

Bar Number: _____

U.S. Attorney Information:AUSA Cynthia Lie Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: May 26, 2005☒ Already in Federal Custody as May 26, 2005 in _____☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 9

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: Nov 2, 2005 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant BRANDON DELGADO

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 841</u>	<u>Distribution of Cocaine Base</u>	<u>1</u>
Set 2	<u>21 USC 841</u>	<u>Distribution of Cocaine Base</u>	<u>2</u>
Set 3	<u>21 USC 841</u>	<u>Distribution of Cocaine</u>	<u>3</u>
Set 4	<u>21 USC 841</u>	<u>Distribution of Cocaine</u>	<u>4</u>
Set 5	<u>21 USC 841</u>	<u>Distribution of Cocaine</u>	<u>5</u>
Set 6	<u>21 USC 841</u>	<u>Distribution of Cocaine</u>	<u>6</u>
Set 7	<u>21 USC 841</u>	<u>Distribution of Cocaine</u>	<u>7</u>
Set 8	<u>21 USC 841</u>	<u>PWID Cocaine</u>	<u>8</u>
Set 9	<u>21 USC 841</u>	<u>possession firearm in furtherance of drug crime</u>	<u>9</u>
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: